

1 AN ACT relating to mechanical systems.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 198B.658 is amended to read as follows:

- 4 (1) An applicant for a master heating, ventilation, and air conditioning contractor's
5 license shall:
- 6 (a) Be at least eighteen (18) years of age;
 - 7 (b) Be a citizen of the United States or be a resident alien who is authorized to do
8 work in the United States;
 - 9 (c) 1. Have been regularly and principally employed or engaged in heating,
10 ventilation, and air conditioning trades as a journeyman heating,
11 ventilation, and air conditioning mechanic for not less than two (2) years
12 under the direction and supervision of a master heating, ventilation, and
13 air conditioning contractor; ~~or~~
 - 14 2. Have been regularly and principally employed or engaged in the practice
15 of heating, ventilation, and air conditioning contracting as a master
16 heating, ventilation, and air conditioning contractor, or equivalent
17 thereof, for not less than five (5) years in a jurisdiction other than
18 Kentucky, as demonstrated by verifiable documentation; or
 - 19 3. Have been regularly and principally licensed and employed as a
20 mechanical engineer in the Commonwealth of Kentucky, or a
21 jurisdiction other than Kentucky, for not less than two (2) years, as
22 demonstrated by verifiable documentation;
 - 23 (d) Have passed an examination prescribed by the department to determine the
24 applicant's competency to practice heating, ventilation, and air conditioning
25 contracting; and
 - 26 (e) Have paid a fee as established in administrative regulations promulgated by
27 the department.

- 1 (2) An applicant for a journeyman heating, ventilation, and air conditioning mechanic's
2 license shall:
- 3 (a) Be at least eighteen (18) years of age;
- 4 (b) Be a citizen of the United States or be a resident alien who is authorized to do
5 work in the United States;
- 6 (c) 1. Have been regularly and principally employed or engaged in heating,
7 ventilation, and air conditioning trades for not less than two (2) years
8 under the direction and supervision of a master heating, ventilation, and
9 air conditioning contractor; or
- 10 2. Have been regularly and principally employed or engaged in the
11 performance of heating, ventilation, and air conditioning work for not
12 less than four (4) years in a jurisdiction other than Kentucky, as
13 demonstrated by verifiable documentation;
- 14 (d) Have passed an examination prescribed by the department to determine the
15 applicant's competency to install, maintain, and repair heating and cooling
16 systems, heating and cooling service, burner service, and hydronic systems;
17 and
- 18 (e) Have paid a fee as established in administrative regulations promulgated by
19 the department.
- 20 (3) If an applicant has obtained, while exempt from licensure under 198B.674(2), (7),
21 (8), (10), (13), or (14), work experience that the department determines to be
22 equivalent to the requirements of subsection (1)(c) or (2)(c) of this section, that
23 experience may be considered as equivalent to one (1) year of employment toward
24 the licensure requirements for a master heating, ventilation, and air conditioning
25 contractor or journeyman heating, ventilation, and air conditioning mechanic, as
26 applicable, not to exceed one (1) year.
- 27 (4) (a) The department shall issue an apprentice heating, ventilation, and air

1 conditioning mechanic's certificate to any person who registers as an
2 apprentice with the department.

3 (b) The department shall establish by administrative regulation the minimum
4 number of hours of experience required by apprentices and shall maintain an
5 apprentice register to credit an apprentice for hours worked under the
6 supervision of a master heating, ventilation, and air conditioning contractor
7 and journeyman heating, ventilation, and air conditioning mechanic.
8 Experience gained under the supervision of a Kentucky licensed master
9 heating, ventilation, and air conditioning contractor while registered as an
10 apprentice with the Kentucky Labor Cabinet, Department of Workplace
11 Standards, in cooperation with the United States Department of Labor, Bureau
12 of Apprenticeship and Training shall be accepted toward the two (2) year
13 experience requirement for a journeyman heating, ventilation, and air
14 conditioning mechanic license.

15 (c) The apprentice register shall include the name, address, Social Security
16 number, employer, and dates of employment of the apprentice.

17 (d) The apprentice shall notify the department in writing of any change in address
18 or employer.

19 (e) Apprentices and pre-apprentices shall not be required to pay a fee to obtain a
20 certificate of registration or to renew a registration.

21 (5) The satisfactory completion of one (1) academic year of a department-approved
22 curriculum or one (1) year of professional training in heating, ventilation, and air
23 conditioning work may be considered as equivalent to one (1) year of employment
24 toward the licensure requirements for a journeyman heating, ventilation, and air
25 conditioning mechanic, not to exceed one (1) year.

26 (6) The satisfactory completion of one (1) academic year of teaching experience in a
27 department-approved or state-approved technical education program in heating,

1 ventilation, and air conditioning shall be considered as equivalent to one (1) year of
2 employment, as required by subsection (1)(c) or (2)(c) of this section. No more than
3 one (1) year of approved teaching experience may be used in meeting the
4 requirements of subsection (1)(c) or (2)(c) of this section.

5 ➔Section 2. KRS 198B.660 is amended to read as follows:

6 (1) ~~[(a) Applications for examination shall be in writing and shall contain all~~
7 ~~information required by the department. Applications shall be filed not less~~
8 ~~than forty five (45) days prior to the examination date.~~

9 ~~(b) Not less than ten (10) days prior to an examination date, the department shall~~
10 ~~send written notice of the date, hour, and place of the examination to each~~
11 ~~applicant for licensure or certification.~~

12 ~~(c)]~~Each application for licensure or certification shall be accompanied by a
13 nonrefundable application fee.

14 (2) Examinations shall be given at least two (2) times during each calendar year at
15 those times and places within the Commonwealth prescribed by the department. An
16 applicant shall not take an examination until the examination fee is paid.

17 (3) Notice of passing or failing an examination shall be provided to each applicant as
18 soon as practicable.

19 ➔Section 3. KRS 198B.6673 is amended to read as follows:

20 (1) The department shall promulgate administrative regulations to establish a
21 reasonable schedule of fees to implement the program. The fees shall not exceed the
22 actual costs for the administration of the program. The department shall also
23 establish heating, ventilation, and air conditioning inspection protocols that ensure
24 timely inspections and minimal interruption to the construction process.

25 (2) The department, upon the request of any individual local governing entity or
26 combination of entities with existing heating, ventilation, and air conditioning
27 permitting and inspection programs as of January 1, 2007, shall authorize them to

1 administer, carry out, and enforce the administrative regulations of the department
2 relating to heating, ventilation, and air conditioning installations, issue permits, and
3 make inspections within their respective boundaries, or perform any portion of these
4 functions. Nothing in KRS 198B.6671 to 198B.6678 shall prohibit these entities
5 from continuing to include major repairs or substantial alterations to a heating,
6 ventilation, or air conditioning system within their permitting and inspection
7 program in the absence of a state requirement, if major repairs or substantial
8 alterations were included in the entities' inspection program prior to January 1,
9 2007. The department may authorize any other individual local government entities
10 or combination of entities to administer, carry out, and enforce the administrative
11 regulations of the department relating to heating, ventilation, and air conditioning
12 installations, issue permits, and make inspections within their respective
13 boundaries, or perform any portion of those functions. When authorization is
14 granted, the department shall enter into contractual arrangements with the local
15 governing entities, which shall remain in effect as long as the local entity continues
16 to operate its program pursuant to guidelines adopted by the department. A heating,
17 ventilation, and air conditioning permit issued by an authorized local governing
18 entity shall be considered a permit issued by the department, and all fees collected
19 by the authorized local government related to the same shall be retained by that
20 local government.

21 (3) Any local governing entity enforcing the permitting and inspection requirements of
22 KRS 198B.650 to 198B.689 pursuant to subsection (2) of this section may appoint
23 and fix the compensation of the local governing entity's heating, ventilation, and air
24 conditioning inspectors. No person shall perform the duties of a heating, ventilation,
25 and air conditioning inspector unless he or she has at least six (6) years' experience
26 as a licensed heating, ventilation, and air conditioning journeyman mechanic or a
27 licensed master heating, ventilation, and air conditioning contractor, unless he or

1 she is a certified building inspector who has successfully passed the examinations
2 relating to heating, ventilation, and air conditioning systems. At the time of
3 employment, the heating, ventilation, and air conditioning inspector shall be
4 licensed or certified in accordance with KRS 198B.650 to 198B.689, or become
5 certified within twelve (12) months of employment.

6 (4) No local governing entity shall impose any other additional heating, ventilation, and
7 air conditioning inspection or permit requirements, or establish any local inspection
8 or permitting program, unless those provisions were in place before January 1,
9 2007.

10 ➔Section 4. KRS 198B.6678 is amended to read as follows:

11 (1) The department shall appoint and assign heating, ventilation, and air conditioning
12 inspectors to each county subject to the provisions of KRS 198B.650 to 198B.689
13 and in numbers sufficient to implement the provisions of KRS 198B.650 to
14 198B.689.

15 (2) No person shall be appointed as a heating, ventilation, and air conditioning
16 inspector unless he or she has at least six (6) years' experience as a licensed heating
17 ventilation, and air conditioning journeyman mechanic or a licensed master heating,
18 ventilation, and air conditioning contractor, unless he or she is a certified building
19 inspector who has successfully passed the examinations relating to heating,
20 ventilation, and air conditioning systems. At the time of his or her appointment, the
21 inspector shall be licensed or certified in accordance with the provisions of KRS
22 198B.650 to 198B.689, or become certified within twelve (12) months of
23 employment.